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# Republican Policy Committee

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Don Nickles, Chairman    Doug Badger, Staff Director    347 Russell Senate Office Building    December 22, 1995  
(Revised, 1/5/96)

## All Politics, No Substance

### Clinton's Vetoes of Environmental and Interior Funding Bills Do Not Hold Water

This paper addresses the President's stated reasons for vetoing the appropriations for Environmental Protection Agency and the Department of the Interior. Since August, the President has been refining his demagoguery of Republican environmental initiatives, and his veto message reveals his hyperbole fails to make a reasonable case for a veto.

#### Environmental Protection Agency and the Veterans Administration

On December 18, 1995, President Clinton announced his veto of the H.R. 2099, the FY 1996 VA-HUD and Independent Agencies funding bill. In his press conference on the same day, he made a number of claims supporting his campaign theme that "Republicans in this Congress have attempted to roll back decades of bipartisan environmental protection. It's wrong, and I cannot permit it to happen."

Following are excerpts from the President's December 18 veto press statement, followed by responses. For additional responses, see RPC paper "Clinton Claims Cuts Threaten Public Health and the Environment," 11/22/95. Note: the overall VA-HUD spending allocation for FY 1996 was 12 percent less than FY 1995.

- **Claim about EPA Cuts:** The conference report "includes a 22 percent cut in requested funding for the Environmental Protection Agency (EPA)."

**Response:** The conference report funded EPA at four percent below the post-rescission FY 1995 level, with most of the reductions from Superfund and pork-barrel wastewater earmarks. This reduction was far less than the VA-HUD bill's general 12 percent spending allocation reduction for FY 1996.

- **Claim about Enforcement:** The conference report cut the enforcement activities of EPA "by 25 percent," which "would cripple EPA efforts to enforce laws against polluters." In his press conference on December 18, the President added that the enforcement cuts will "pull the cop from the pollution beat," and "give our children less clean drinking water, less safe food, dirtier air."

**Response:** The conference report cut non-Superfund enforcement activities by 15 percent from last year's funding levels (25 percent below Administration request). The rationale for the cuts, according to Senator Bond's press statement of Friday, December 15, the committee agreed to recommendations of the National Academy of Public Administration (NAPA) to turn more responsibility to the States and reduce EPA's enforcement oversight of those States capable of managing their environmental protection programs. Chairman Bond noted that the committee included authority for the EPA to begin issuing block grants for maximum flexibility.

- **Claim about Superfund:** The conference report includes a "25 percent cut in Superfund, which would continue to expose hundreds of thousands of citizens to dangerous chemicals, and cuts which would hamper efforts to train workers in hazardous waste cleanup." In his press conference, the President added that the Superfund cuts "would condemn more than 10 million children under the age of 12 to living near toxic waste sites that might not be cleaned up for years."

**Response:** The legislation does cut Superfund appropriations from post-rescission FY 1995 levels of \$1.32 billion to \$1.16 billion, a 12 percent reduction in a program universally conceded to be wasting money on litigation rather than cleanup. [1,200 sites are on the National Priority List today, but only about 250 NPL sites have been cleaned up since 1980.] The committee stressed that EPA must "prioritize resources, to the greatest extent possible, on NPL sites posing the greatest risk." The conferees noted that EPA's own data indicate that the \$1.16 billion appropriation is "more than sufficient to continue all scheduled work on all sites currently on the NPL, as well as deal adequately and appropriately with all emergency response needs."

- **Claim about Clean Water and Safe Drinking Water:** The conference report would reduce funds requested "to go directly to States and needy cities for clean water and drinking water needs," including Boston Harbor.

**Response:** The conference report actually increased funding for Safe Drinking Water projects from last fiscal year's post-rescission level of zero to \$500 million, which is the President's requested level, and which can be used as soon as an authorization bill for the Safe Drinking Water State Revolving Fund is passed. Even if such a law is not passed, this \$500 million can be used after June 1, 1996, for Clean Water State revolving funds. The conference report reduced funding for pork-barrel Clean Water projects by about \$500 million from FY 1995 levels, but funded the Clean Water Revolving Fund account at \$1.12 billion. The separately earmarked Boston Harbor project was funded at \$25 million for FY 1996, compared to \$100 million in FY 1995. So far, the Boston Harbor project has received more than \$500 million in federal appropriations.

- **Claim about Veterans Health Care:** "The bill provides less than I requested for the medical care of this Nation's veterans. . . and does not provide necessary funding for VA

hospital construction.”

**Response:** The bill increases FY 1995 funding for veteran’s health administration by \$400 million, despite the overall bill’s spending reduction of 12 percent below last year. The bill funds major construction projects that do not require further authorization, and provides additional funding (\$190 million) “to meet critical requirements, such as safety and fire code deficiencies, at facilities that were denied major construction funding in 1996.” In view of the declining veteran population and the under capacity at most existing VA hospitals, no new hospital construction funds were provided. However, several new outpatient clinics were funded in recognition of current trends toward increased outpatient care.

## **Department of the Interior**

On December 18, 1995, President Clinton also vetoed H.R. 1977, the Department of the Interior and Related Agencies Appropriations Act for FY 1996. In his statement, the President called the bill “unacceptable because it would unduly restrict our ability to protect America’s natural resources and cultural heritage, promote the technology we need for long-term energy conservation and economic growth, and provide adequate health, educational, and other services to Native Americans.” Note: the Interior Appropriation spending allocation is 10 percent below FY 1995.

- **Claim about the Tongass National Forest:** “In the Tongass National Forest in Alaska, [the conference report] would allow harmful clear-cutting, require the sale of timber at unsustainable levels, and dictate the use of an outdated forest plan for the next two fiscal years.”

**Response:** The conference report was silent about clear-cutting the Tongass and did not set any timber volume requirement. The bill simply allowed the Forest Service to apply all normal forest management practices, which include (at the option of the Forest Service) clear-cutting. The bill did not set a sale level, but did prohibit exceeding a ceiling of 418 million board feet. The Forest Service was instructed to use the preferred alternative forest plan that the Forest Service itself had prepared and selected. The bill allows the forest land management plan revision process at the Forest Service to continue, and allows it to be effective anytime after FY 1997.

- **Claim about the Columbia River Basin Ecosystem:** The bill “would impede implementation of our comprehensive plan for managing public lands [in] the Columbia River basin in the Pacific Northwest . . . [leading to] a potential return to legal gridlock on timber harvesting . . . and other economically important activities.”

**Response:** The bill ensures careful consideration of all available information to update individual federal land management plans in the Columbia River Basin by rejecting the

Forest Service's attempt to amend all forest plans in the basin with a general plan. By not allowing the master plan to be promulgated, the bill would **reduce** the possibility for legal gridlock from a legal challenge to the master plan, which could stop all logging, mining, grazing, etc., on Forest Service lands in the entire basin during the pendency of the lawsuit.

- **Claim about the Mojave National Preserve:** The bill "undermines our designation of the Mojave National Preserve by cutting funding for the Preserve and shifting responsibility for its management from the National Park Service to the Bureau of Land Management."

**Response:** The bill provides BLM \$500,000 to develop a general management plan and authorizes the BLM to use seasonal Park Service employees to assist in the management of the Preserve. As the President notes in his veto message, the Mojave National Preserve is the Nation's newest and largest National Park. The ill-advised creation of the Mojave National Preserve at the insistence of the Clinton Administration has the potential for catastrophic consequences for the under-maintained existing parks and the thousands of private landowners already in the National Park Service's 37-year backlog of lands it is required to purchase. Nevertheless, the bill does not cut the Park Service out of the Mojave National Preserve activities, nor terminate the planning activities.

- **Claim about the Endangered Species Act:** The bill "would impose a misguided moratorium on future listings and critical habitat designations under the Endangered Species Act, . . . and in the case of one endangered species, the marbled murrelet, would eliminate the use of new scientific information in managing our forests."

**Response:** The moratorium on additional listings of endangered plant and animal species has been repeatedly passed by a substantial majority of the Congress. The second moratorium extension expired with the last continuing resolution on December 15, 1995. The marbled murrelet, a common seabird that nests within a few miles of the coast throughout the northern Pacific rim, includes a subspecies that nests in the Pacific Northwest, Canada, and Alaska. The conference committee was concerned that this subspecies is being used by the Administration as an excuse for unreasonable forest exclusions and possible overflight prohibitions in what is the extreme southern tip of the bird's range.

- **Claim about Energy Conservation:** The bill "slashes funding for the Department of Energy's energy conservation programs.... We should be doing all we can to maintain and sharpen our competitive edge, not back off."

**Response:** The energy conservation program has received large funding increases in past years. In fact, the Administration's FY 1996 funding request for energy conservation programs was 187 percent of the 1988 funding level. That magnitude of increase is difficult to justify in light of today's budget realities, which include an Interior

Appropriation Subcommittee spending allocation for FY 1996 that is ten percent less than last year's. It is in this context that the bill reduces energy conservation about 27 percent below the FY 1995 funding level. Importantly, the conference committee urged the Department to increase cost sharing, terminate projects that prove to be uneconomical or fail to produce desired results, resist new program starts without compelling justification and identify funding offsets. Moreover, essential energy conservation research programs have been retained.

- **Claim about the Bureau of Indian Affairs:** The bill "provides inadequate funding for the Indian Health Service and our Indian Education programs, . . . including programs that support child welfare. . . ."

**Response:** The bill funds all Native American programs at \$3.65 billion, a four percent reduction from FY 1995. This is, of course, less than the overall reduction of 10 percent in the Interior bill's budget allocation. Moreover, the bill provides the Indian Health Service with \$124 million above the FY 1995 enacted level, which is \$271 million above the Administration's initial FY 1995 request.

- **Claim about the National Endowments:** The bill "cuts funding of the National Endowments for the Arts and Humanities so deeply as to jeopardize their capacity to keep providing the cultural, educational, and artistic programs that enrich America's communities."

**Response:** In the conference, the Senate took "strong exception" to the House's desire to eliminate NEA in two years and the NEH in three years. The compromise funded NEA at \$82.3 million and the NEH at \$94 million. The conferees stated they expect the future of the two endowments to be resolved by the appropriate legislative committees and the Congress.

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